

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Forest Department - Diversion of 160.00 ha. of forest land for mining of lime stone, in Budavada Reserve Forest, in Krishna District of Andhra Pradesh, in favour of M/s. Madras Cements Limited - Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT

G.O.Ms.No. 26

Dated: 31-03-2012.

Read the following:-

1. From PCCF, A.P, Hyderabad Lr.Rc.No.36599/2003/F2, Dated. 04.02.2005.
2. State Govt. Lr.No.1278/For.I (1)/2005, Dated: 04-05-2005.
- 3.From GOI, Mo.EF, New Delhi, Lr.No.8-56/2005-FC, Dated. 31-12-2008.
- 4.State Govt. Lr.No.1278/For.I (1)/2005, Dated:29-09-2010.
5. From GOI, Mo.EF, New Delhi, Lr.No.8-56/2005-FC, Dated.22-12-2011

ORDER:

The Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad in his letter 1st read above, had submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 160.00 ha. of forest land for mining of lime stone, in Budavada Reserve Forest, in Krishna District of Andhra Pradesh, in favour of M/s. Madras Cements Limited and requested to forward the same to Government of India, Ministry of Environment & Forests, for according approval under section 2 of Forest (Conservation) Act, 1980.

2. The said proposal has been sent to Government of India, Ministry of Environment & Forests, for their approval under Section 2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment & Forests, in their letter 3rd read above, have accorded their approval in principle (Stage.I) for the proposal, subject to compliance of certain conditions as stipulated therein. The State Government vide letter 4th read above, have furnished compliance report on the conditions stipulated by the Government of India. State Government vide further letters dated. 2-7-2011, 10-8-2011 and 5-12-2011 have furnished the additional information sought by the Government of India, Ministry of Environment & Forests.

4. Government of India, Ministry of Environment & Forests, in their letter 5th read above, have accorded their approval (Stage.II) under Section-2 of Forest (Conservation) Act, 1980, for diversion of 160.00 ha. of forest land for mining of lime stone, in Budavada Reserve Forest, in Krishna District of Andhra Pradesh, in favour of M/s. Madras Cements Limited, subject to certain conditions as stipulated therein.

5. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad, for diversion of 160.00 ha. of forest land for mining of lime stone, in Budavada Reserve Forest, in Krishna District of Andhra Pradesh, in favour of M/s. Madras Cements Limited, subject to the following conditions:-

1. The legal status of the diverted forest land shall remain unchanged.
2. Compensatory afforestation over the non-forest land equal in extent to the forest land being diverted shall be raised and maintained by the State Forest Department from the funds realized from the user agency.

(Contd – 2)

3. The non -forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section 4 or Protected Forest under Section 29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act. The Nodal Officer, Forest (Conservation) Act, 1980, Government of Andhra Pradesh shall submit compliance report within six months from the date of issue of the said letter.
4. Fencing, protection and regeneration of the safety zone area (7.5 meter strip all along the outer boundary of the mining lease area) shall be done from the funds realized from the user agency. Besides this, Afforestation on degraded forest land, (to be selected elsewhere) measuring one and a half times the area under safety zone, shall also be done from the funds realized from the user agency.
5. Following activities shall be undertaken by the State Forest Department at the project cost:
 - (a) Proper mitigative measures to minimize soil erosion and checking of streams shall be prepared and implemented.
 - (b) Planting of adequate drought hardy plant species and sowing of seeds to arrest soil erosion.
 - (c) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour.
6. Wherever possible and technically feasible, the user agency shall undertake by involving local community, the Afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the Project Cost.
7. The period of diversion under this approval shall be twenty (20) years subject to possession of valid lease by User Agency under the MMDR Act, 1957.
8. State Government shall charge from the User Agency the additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India.
9. The user agency will bear the cost of preparation and implementation of waste management plan.
10. The soil conservation measures shall be undertaken by the user agency under a plan approved by the State Forest Department.
11. The boundary of the mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from adjoining pillars etc.
12. The forest land shall not be used for any purpose other than that specified in the proposal.
13. User agency shall submit annual self-monitoring report, indicating status of compliance to the conditions stipulated in the approval, to the State Government and the concerned Regional Office of this Ministry, and

14. All other conditions including standard conditions applicable to the proposals under Forest (Conservation) Act, 1980 and under different rules, regulation and guidelines including environmental clearance shall be complied with before transfer of Forest Land.

6. The Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad is directed to take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.SAMUEL,
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To
The Principal Chief Conservator of Forests,
Andhra Pradesh, Hyderabad.

Copy to:

The Inspector General of Forests,
Government of India, Ministry of Environment & Forests,
Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi -110 003

The Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office (Southern Zone) Kendriya Sadan, IV Floor E & F Wings,
17th Main Road, II Block, Koramangala, BANGALORE -560 034.

M/s. Madras Cements limited, Kumarasamyraja Nagar,
Jaggayyapet, Krishna District - 521457

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER